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Jc961 U.S. PTO

PATENT

Docket No. 4167-4000

Express Mail Label No. EJ604725094US

Jc962 U.S. PTO
09/729043
12/04/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))

COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D.C. 20231

#7/B
Zita
7-24-00

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and
Address(es):

M. Suzanne Bradshaw, 3312 York Lane, Cincinnati, OH 45215, U.S.A.

Jacques A. Bollekens, Avenue DES Bouleaux 21, 1170 Brussels, Belgium

Frank H. Ruddle, 341 Willow Street, New Haven, CT 06511, U.S.A.

For:

A NEW YEAST-BACTERIA SHUTTLE VECTOR

Enclosed are:

[X] 29 page(s) of specification, 1 page(s) of Abstract, 2 page(s) of claims

[] 5 sheets of drawing [X] formal [] informal

[] 6 page(s) of Declaration and Power of Attorney

[] Unsigned
[] Newly Executed
[X] Copy from prior application

[] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

[X] Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

[] Microfiche Computer Program (Appendix)

[X] 5 page(s) of Sequence Listing

[X] computer readable disk containing Sequence Listing

09729043-120400

- ☒ Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same
- ☐ Claim for Priority
- ☐ Certified copy of Priority Document(s)
- ☐ English translation documents
- ☒ Information Disclosure Statement
- ☐ Copy of ____ cited references
- ☒ Copy of PTO-1449 filed in parent application serial No. 09/095,372.
- ☒ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ Assignment Papers (assignment cover sheet and assignment documents)
- ☐ A check in the amount of \$40.00 for recording the Assignment.
- ☒ Assignment papers filed in parent application Serial No. 08/761,704.
- ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☒ This is a ☒ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. 09/095,372.
- ☒ Cancel in this application original claims 2-13 of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☒ The status of the parent application is as follows:
- ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the patent application to this application.

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- [X] Amend the specification by inserting before the first line the sentence:
 This is a continuation of co-pending application Serial No. 09/095,372, filed June 10, 1998 which is a continuation of co-pending application Serial No. 08/761,704, filed December 6, 1996, which is a continuation-in-part of U.S. Provisional Application Serial. No. 60/008,250 filed December 6, 1995.

I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed	Number Extra	Rate	Basic Fee
				\$355.00
Total Claims	7	-20=	-0-	x\$22.00 \$ -0-
Independent Claims	1	-3=	-0-	x\$2.00 \$ -0-
Multiple Dependent Claims	[] yes [X] no		Additional Fee = \$270.00 Add'l Fee = NONE	\$ -0-

Total: \$ 355.00

- [X] A statement claiming small entity status has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ 355.00.
- [] A check in the amount of \$ _____ in payment of the application filing fees is attached.
- [X] Charge Fee(s) to Deposit Account No. 13-4500. Order No. 4167-4000 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4167-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: December 4, 2000

By: Darryl H. Steensma
 Darryl H. Steensma
 Registration No. 43,155

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Bradshaw, et al. Group Art Unit: To Be Assigned
Serial No. : To Be Assigned Examiner: To Be Assigned
Filed : Werewith
For : A NEW YEAST-BACTERIA SHUTTLE VECTOR

JC682 U.S. PTO
09/729043
12/04/00

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EJ604725094US

Date of Deposit December 4, 2000

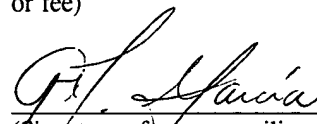
I hereby certify that the following attached papers or fee

1. Patent Application (24 pages of Specifications, 1 page of Abstract, 2 page of Claims, 5 pages of formal drawings);
2. Copy of inventors' declaration (6 pages);
3. Utility Application and Application Fee Transmittal (three pages);
4. Form PTO 1449 (seven pages);
5. Preliminary Amendment (three pages);
6. Sequence Listing -- paper copy (five pages)
7. Sequence Listing -- electronic copy
8. Statement Under 37 CFR §1.821(f)
9. Return postcard.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Box Patent Application, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

F. Garcia

(Typed or printed name of person mailing) papers or fee)



(Signature of person mailing paper(s) or fee)

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